

U.S. Department of Justice



United States Attorney
District of New Jersey

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June 10, 2020

Honorable Susan D. Wigenton
United States District Judge
Martin Luther King Building
& U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Re: *United States v. William E. Baroni, Jr. and Bridget Anne Kelly*, Crim. No. 15-193
United States v. David Wildstein, Crim. No. 15-209

Dear Judge Wigenton:

Enclosed is a proposed order for the Court's consideration that vacates the judgments against these defendants, dismisses the Indictment against Mr. Baroni and Ms. Kelly, and dismisses the Information against Mr. Wildstein.

As the Court knows, today the Court of Appeals issued a mandate and judgment that directed the Court to vacate Mr. Baroni's and Ms. Kelly's convictions and dismiss the Indictment against them. Now that there is no procedural bar, the Court can act upon Mr. Baroni's and Ms. Kelly's requests, and the Government asks that the Court do so.

Additionally, given the decisions of the Supreme Court and the Court of Appeals, Mr. Wildstein, through counsel, is now asserting that he is legally innocent of the offenses to which he pled guilty and that his conviction should be vacated pursuant to 28 U.S.C. § 2255. The United States does not oppose that relief, which, if granted, would make dismissal of the Information against Mr. Wildstein proper with leave of court. *See Fed. R. Crim. P. 48(a).*

Respectfully submitted,

MARK E. COYNE
Attorney for the United States*

By: /s/Lee M. Cortes, Jr.
Lee M. Cortes, Jr.
Assistant U.S. Attorney

* Acting under authority conferred by 28 U.S.C. § 515.